



U.S. Immigration  
and Customs  
Enforcement



United States Attorney's Office  
District of Arizona

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## CASE UNSEALED AGAINST CHILD PORNOGRAPHER

*Arizona man shared graphic images of children with others in an international chat room*

PHOENIX - A federal grand jury here returned a four-count indictment against Donald K. Forbes, 40, of Glendale, Ariz., for Receipt and Distribution of Child Pornography. Acting U.S. Attorney Ann Harwood, and Acting Deputy Special Agent-in-Charge of U.S. Immigration and Customs Enforcement in Arizona, Terri Tollefson, announced the unsealing of that indictment today in a press conference.

After Forbes' arrest on March 6, 2006, search warrants were executed at his home and work. Forbes admitted to ICE agents in an interview that he downloaded at least 30,000 images and that he is addicted to it.

Acting U.S. Attorney Ann Harwood stated "Child pornography is very detrimental to the well-being of children. Unfortunately, the internet has become an all too accessible means for those preying on young children in this manner. Therefore, those using the internet to promote and share child pornography will be subject to prosecution by this office to the fullest extent possible."

"We are going to keep the pressure on those who prey in the sickest ways on the vulnerabilities of our children," said Terri Tollefson, Acting Deputy Special Agent-in-Charge of the Office of Investigation for U.S. Immigration and Customs Enforcement (ICE) in Phoenix. "ICE's message to those who are taking such despicable advantage of defenseless children is that when you're distributing this material over the internet, you could very well be sending it to law enforcement officers."

The complaint alleges that Forbes, using his anonymous screen name "Nemo," repeatedly entered an internet chat room, "Kiddypics and Kiddyvids" hosted out of Canada, for the purpose of viewing and sharing pornographic images of young girls on a peer to peer basis.

Attorney General Alberto Gonzales announced earlier today in Chicago that a total of 27 defendants throughout the United States and in other countries face a variety of criminal charges related to child pornography and child molestation.

Forbes pleaded not guilty during his arraignment at 11:00 a.m. this morning in front of Magistrate Judge Edward C. Voss. At the arraignment, Forbes was released by Judge Voss to the third party custody of his wife, Terry Forbes, pending trial which is set for May 2, 2006 at 9:00 a.m. in front of U.S. District Judge Susan R. Bolton.

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Forbes must also submit to electronic monitoring during his period of release and was ordered by the Court to have no access to computers unless it is work related and no access to the internet at all. Forbes appeared before Magistrate Judge Voss for his initial appearance on March 7, 2006 and his detention hearing on March 9, 2006. The indictment was returned by the grand jury on March 9, 2006.

A conviction for each count of Receipt and Distribution of Child Pornography carries a maximum penalty of 20 years in prison (with a mandatory minimum of five years in prison), a \$250,000 fine or both. In determining an actual sentence, Judge Bolton will consult the U.S. Sentencing Guidelines, which provide appropriate sentencing ranges. Judge Bolton, however, is not bound by those guidelines in determining a sentence.

An indictment is simply the method by which a person is charged with criminal activity and raises no inference of guilt. An individual is presumed innocent until competent evidence is presented to a jury that establishes guilt beyond a reasonable doubt.

The investigation preceding the indictment was conducted by U.S. Immigration and Customs Enforcement. The prosecution is being handled by Vincent Kirby, Assistant U.S. Attorney, District of Arizona, Phoenix.

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